



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

THOMAS A. GENISE

Application No: 08/666,164

Group Art Unit: 3622

Filed: June 19, 1996

Examiner: D. Wright

For: AUTOMATED TRANSMISSION SYSTEM CONTROL WITH ZERO ENGINE
FLYWHEEL TORQUE DETERMINATION

PETITION UNDER 37 CFR §1.48 TO CORRECT INVENTORSHIP

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, on behalf of the Applicant and the Assignee herein, petitions the Commissioner in accordance with 37 C.F.R. § 1.48 to correct the inventorship of the above-identified application by Ronald K. Markyvech as co-inventor.

Mr. Ronald K. Markyvech is also being added as a co-inventor to the present application. This is because new claims have been added to the present application which causes Ronald K. Markyvech to be a co-inventor of the claimed subject matter. Submitted herewith is a Verified Statement by the original named inventor establishing when the error without deceptive intention was discovered and how it occurred.

A check for the statutory fee of \$130 is attached. Please charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 necessary to keep this application pending in the Patent and

Trademark Office or credit any overpayment to Deposit Account No.
19-4880. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

By 
William H. Mandir

Reg. No. 32,156

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**VERIFIED STATEMENT OF ORIGINAL NAMED INVENTOR
IN SUPPORT OF PETITION UNDER 37 C.F.R. § 1.48
TO CORRECT INVENTORSHIP**

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

I the original named inventor of the above-identified application do hereby declare that an error occurred in naming the inventors of the above-identified application and that the error occurred without any deceptive intention on the part of the actual inventors, and that the following sets forth how the error occurred and how it was discovered.

At some time after March 10, 1997, I became aware of a fax dated August 11, 1993, from James R. McReynolds to Howard D. Gordon (Reg. No. 25,979) who is the attorney of record in the subject application, and which was re-sent to Mr. Gordon on March 6, 1997. I believe that the August 11, 1993 fax was discovered during an investigation concerning the conception date of the invention of the subject application. In reviewing the August 11, 1993 fax with Mr. Gordon, I recalled a meeting prior to August 11, 1993, at Eaton

Corporation's Transmission Division in Galesburg, Michigan, with Mr. McReynolds. At this meeting I recall discussing ideas for various types of electronically assisted, lever shifted transmissions. In reviewing the materials contained in the August 11, 1993 fax, and my recollection of this meeting, I am of the opinion that Mr. McReynolds' suggestions, ideas and recommendations made at the meeting were such that Mr. McReynolds should be named as a joint inventor of the subject application.

I reviewed and understood the present application including the specification and claims prior to filing the application. I also reviewed the Declaration prior to filing. However, the error without deceptive intent of failing to name Mr. McReynolds as a co-inventor occurred because, at the time of reviewing the subject application prior to filing in June 1996, I failed to recall, recognize and appreciate Mr. McReynolds' 1993 contribution to the invention of the subject application.

Until discussions with my attorney, Mr. Gordon, I, without deceptive intent, had not recalled or appreciated Mr. McReynolds' contribution to the claimed invention and, thus, at the time of filing of the subject application, without any deceptive intent, had not included Mr. McReynolds as a co-inventor.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment or both under 18 USC

§1001, and may jeopardize the validity of the application or any patent issuing thereon.

Date: October 8, 1998

Thomas A. Genise
Thomas A. Genise